44. (New) The portable cot apparatus of claim 39, wherein the detachable fastener comprises a two part fastener attached to the flexible support, wherein the flexible support is secured to the fourth rail structure by wrapping a portion of the detachable fastener around the fourth rail section and securing the two part fastener to form a detachable sleeve.

45. (New) The portable cot apparatus of claim 39, wherein the two part fastener comprises hook fabric and loop fabric.

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the arguments set forth below. Claims **1-23** that were previously pending in this application have been canceled and the new claims **24-45** have been added. Claims **24-45** are now pending in the application.

Claims Rejected under 35 U.S.C. §112

Within the Office Action, Claims **4-15** have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claims **4-15** have been cancelled by the above amendment. New claims **24-45** have been added by the above amendment. The applicants have taken into consideration the rejections made under 35 U.S.C. §112 in drafting the new Claims **24-45**.

Rejections Under 35 U.S.C. § 103(a)

Within the Office Action, Claims **1-23** have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,003,649 to Kelly (hereafter "Kelly") in view of U.S. Patent No. U.S. 2,670,478 to Gilfillan (hereafter "Gilfillan"). Claims **1-23** have been cancelled by the above amendment. The rejection made under 35 U.S.C. § 103(a) will be addressed in relation to the new Claims **24-45** added by the above amendment.

Within the Office Action it is stated that Kelly teaches a nestable cot with a plurality of rods and a web. The web is folded back over on itself and sewn together to form sleeves through which rods are positioned for securing the web to the frame. The frame is assembled with connectors that hold the rods together. The cot is supported in an elevated position by a pedestal.

As recognized within the Office Action, Kelly does not teach a detachable fastener for removably and selectively coupling the web to the cot frame.

It is also stated within the Office Action that Gilfillan teaches a collapsible cot with a frame having a plurality of tubes joined by corner pieces. The cot of Gilfillan has a fabric section that is supported on three sides with channels formed by folding the fabric over onto itself and sewing seams. The fourth side of the fabric is secured to the frame with a sash threaded through a plurality of grommets. Within the Office Action it is stated that it would have been obvious at the time of the invention to modify the cot taught by Kelly to have a detachable fastener assembly as taught by Gilfillan.

Further, within the Office Action it is concluded that there is no particular advantage to a flexible support with a detachable fastener other than to provide for the ability to attach or detach the support before and after, respectively, the cot is assembled. The applicants respectfully disagree with this conclusion.

In contrast to the teachings of Kelly, Gilfillan and their combination, the portable cot apparatus of the present invention preferably includes a flexible support that has a detachable fastener for selectively and removably coupling the flexible support to a stackable cot frame. The flexible support of the present invention is selectively and removably coupled to the cot frame with the detachable fastener by wrapping the flexible support around at least one of the rail structures and securing portions of the detachable fastener to form a sleeve around the at least one rail structure. As discussed above, Gilfillan teaches securing an edge of the fabric to one tube of the cot frame by tying a sash through a plurality of grommets (Gilfillan, col. 1, line 59 - col. 2, line 1). As illustrated in Figure 1 of Gilfillan, the tube to which the rope or sash is tied leaves the tube substantially exposed. Neither Kelly, Gilfillan nor their combination teach or suggest the use of a detachable fastener to secure a flexible support to a cot frame, wherein the detachable fastener wraps around a rail section to form a sleeve around the rail section. Further, the applicant contends that there are several advantages to a cot apparatus with a flexible support having a detachable fastener for coupling and decoupling the support to the cot frame. Namely, the sleeve that is formed by folding the flexible support around the rail structure, and securing the flexible support with the detachable fastener protects the user from the rail section. Secondly, the detachable fastener allows a user to quickly secure the flexible support to the rail structure and release the flexible support from the rail section without requiring threading and lacing of the sash through the plurality of grommets, such as is taught by Gilfillan.

The independent Claim **24** is directed to a portable cot apparatus. The portable cot apparatus of the Claim **24** includes a stackable frame structure including a plurality of rail structures for supporting the portable cot apparatus and a flexible support. The flexible support has a detachable fastener for removably and selectively coupling the flexible support to the stackable frame structure. Within Claim **24** it is specified that the detachable fastener has fastener portions that are attached along an edge of the flexible support such that the flexible support is removably and selectively coupled to the stackable frame structure by wrapping the flexible support around at least one of the plurality of rail structures and interlocking the fastener portions to form a sleeve around the at least one rail structure wherein the at least one rail structure is substantially covered with the sleeve. As discussed above, neither Kelly, Gilfillan nor their combination teach the use of a detachable fastener to secure a flexible support to a cot frame, wherein the detachable fastener wraps around at least one rail structure to form a sleeve around the rail structure. For at least these reasons, the independent Claim **24** is allowable over the teachings of Kelly, Gilfillan and their combination.

Claims **25-31** are all dependent on the independent Claim **24**. As described above, the independent Claim **24** is allowable over the teachings of Kelly, Gilfillan and their combination. Accordingly, Claims **25-31** are all also allowable as being dependent on an allowable base claim.

The independent Claim **32** is directed to a portable cot apparatus. The portable cot apparatus of Claim **32** includes four rail structures and four corner connectors configured for removably coupling with the four rail structures into a rectangular frame. The portable cot apparatus of Claim **32** further includes a flexible support that removably couples to each side of the rectangular frame. It is further specified within Claim **32** that the flexible support is removably coupled to at least one side of the rectangular frame structure by a detachable fastener that includes interlocking fastener portions for forming a detachable sleeve around the at least one side of the rectangular frame. As discussed above, neither Kelly, Gilfillan nor their combination teach the use of a detachable fastener to secure a flexible support to a cot frame, wherein the detachable fastener wraps around at least one side of the rectangular frame structure to form a detachable sleeve around the at least one side of the rectangular frame. For at least these reasons, the independent Claim **32** is allowable over the teachings of Kelly, Gilfillan and their combination.

Claims **33-38** are all dependent on the independent Claim **32**. As described above, the independent Claim **32** is allowable over the teachings of Kelly, Gilfillan and their combination. Accordingly, Claims **33-38** are all also allowable as being dependent on an allowable base claim.

The independent Claim **39** is directed to a portable cot apparatus. The portable cot apparatus of Claim **39** includes a rectangular frame. The rectangular frame has a first rail section that is configured to be detachably coupled to a second and a third rail section, wherein the second and the third rail sections are configured to be detachably coupled to a fourth rail section. The portable cot apparatus of Claim **39** further includes a rectangular support configured to be detachably coupled to each of the first, second, third and fourth rail sections, the rectangular support including a first sleeve along a first edge for detachably coupling to the first rail section, a second sleeve along a second edge for detachably coupling to the second rail section, a third sleeve along a third edge for detachably coupling to the third rail section and a detachable fastener along a fourth edge for detachably coupling to the fourth rail section. In contrast to the teaching of Gilfillan, the Claim **39** recites that the rectangular support "is removed from the frame by detaching the first rail section from the second and third rail sections, unfastening the detachable fastener from the fourth rail section and sliding the second and third sleeves off of the second and third rail sections." As illustrated in Figures 4-6 of Gilfillan, the cot of Gilfillan is assembled by inserting a first end tube (4) into an end sleeve of the flexible sheet (1) with the corner connectors (8) positioned in the ends of the first end tube (4). In the next step, the two side tubes (3) and (3a) are positioned within the side sleeves of the flexible sheet (1) and engage ends of the side tubes (3) and (3a) with connectors (8) positioned in the ends of the first end tube (4). Then a second end tube (4a), with corner connectors (8) positioned in the ends of the second end tube (4a) is brought into position to engage the other ends of the side tubes (3) and (3a) and the flexible sheet (1) is secured to the second end tube (4a) with a rope (10) that is threaded through grommets (11), as shown in Figure 1. According to Gilfillan (col. 2, line 9- line12), the cot is disassembled by untying the sash and pulling out the second end tube (4a). At this point the flexible sheet (1) is still attached to the first end tube (4) and the two side tubes (3) and (3a). In order to completely remove the flexible sheet, tubes (3), (3a) and (4) must be removed from their respective sleeves. Neither, Kelly, Gilfillan nor their combination teach or suggest a portable cot with a flexible support that can be removed from the cot frame by the steps of detaching the first rail, unfastening the detachable fastener from the fourth (opposite) rail section and sliding the second and third sleeve off of the second and third (side) rail sections, as recited in claim **39** of the instant application. For at least these reasons, the independent Claim **39** is allowable over the teachings of Kelly, Gilfillan and their combination.

Claims **40-45** are all dependent on the independent Claim **39**. As described above, the independent Claim **39** is allowable over the teachings of Kelly, Gilfillan and their combination. Accordingly, Claims **40-45** are all also allowable as being dependent on an allowable base claim.

For the reasons given above, applicants respectfully submit that the new claims are in a condition for allowance. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (650) 833-0160 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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